

UNITED STATES DISTRICT COURT FOR  
THE DISTRICT OF MASSACHUSETTS

STEVEN “SHELBY” COLLYMORE,  
Plaintiff,

v.

CIVIL ACTION NO. 18-11480-MPK

SUFFOLK COUNTY SHERIFF DEPT., and  
DIRECTOR OF MEDICAL SERVICES,  
Defendants.

KELLEY, U.S.M.J.

MEMORANDUM AND ORDER ON  
SUFFOLK COUNTY SHERIFF’S DEPARTMENT’S MOTION TO DISMISS (#35.)

Pro se plaintiff Steven “Shelby” Collymore alleges that defendants, Suffolk County Sheriff’s Department (SCSD) and the Director of Medical Services (Medical Director) at the South Bay House of Correction (SBHOC), have discriminated against her by refusing to prescribe her the hormone estrogen. This matter is before the court on defendant SCSD’s motion to dismiss (#35) for failure to state a claim upon which relief can be granted.

On January 29, 2019, the court issued a Memorandum and Order (#28)<sup>1</sup> granting defendant Medical Director’s motion to dismiss for failure to state a claim. The facts and claims alleged

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<sup>1</sup> On February 20, 2019, the copy of the Memorandum and Order sent to plaintiff was returned to the court as undeliverable. Upon inquiry to the records department at the Suffolk County House of Correction, the clerk was advised that Collymore had been “released to the street” on November 21, 2018. Plaintiff has not updated his address in this case. Collymore has had numerous cases in this court and, in fact, updated his address in one of those cases, Collymore v. Tannery, 18-cv-11634-LTS (#30), on November 15, 2018. This Memorandum and Order, together with the January 29th Memorandum and Order (#28), will be sent to the address noted on the Tannery docket.

against SCSD are identical to those alleged against the Medical Director. The legal reasoning in the prior Memorandum and Order (#28) is equally applicable to the claims against SCSD, and is incorporated herein by reference.

For the reasons stated in the January 29th Memorandum and Order (#28), plaintiff does not allege facts plausibly supporting a claim for deliberate indifference to a serious medical need in violation of the Eighth Amendment, or a claim under the Massachusetts Civil Rights Act. Therefore, it is ORDERED that Suffolk County Sheriff's Department's Motion to Dismiss (#35) is GRANTED.

March 13, 2019

/s/ M. Page Kelley  
M. Page Kelley  
United States Magistrate Judge